



# Federal Register

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**Monday,  
April 26, 2010**

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**Part XV**

## **General Services Administration**

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**Semiannual Regulatory Agenda**

**GENERAL SERVICES ADMINISTRATION (GSA)**

**GENERAL SERVICES ADMINISTRATION**

**41 CFR Chs. 101, 102, 105, 300, 301, and 302**

**48 CFR Chs. 5 and 61**

**Unified Agenda of Federal Regulatory and Deregulatory Actions**

**AGENCY:** General Services Administration (GSA).

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** This agenda announces the proposed regulatory actions that GSA plans for the next 12 months and those that were completed since the fall 2009 edition. This agenda was developed under the guidelines of Executive Order 12866 “Regulatory Planning and Review.” GSA’s purpose in publishing this agenda is to allow interested persons an opportunity to participate in the rulemaking process. GSA also invites interested persons to recommend existing significant regulations for review to determine whether they should be modified or eliminated. Proposed rules may be reviewed in their entirety at the Government’s rulemaking website at <http://www.regulations.gov>.

Since the fall 2007 edition, the Internet has been the basic means for disseminating the Unified Agenda. The complete Unified Agenda will be available online at [www.reginfo.gov](http://www.reginfo.gov), in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), GSA’s printed agenda entries include only:

(1) Rules that are in the Agency’s regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) Any rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act’s Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the

Internet. In addition, for fall editions of the Agenda, the entire Regulatory Plan will continue to be printed in the **Federal Register**, as in past years, including GSA’s regulatory plan.

**FOR FURTHER INFORMATION CONTACT:** Hada Flowers, Supervisor, Regulatory Secretariat Branch, at (202) 208-7282.

**Dated:** March 8, 2010.

**Michael Robertson,**  
*Associate Administrator, Office of Governmentwide Policy.*

**Dated:** February 25, 2010.

**Al Matera,**  
*Director, Acquisition Policy Division.*

**Dated:** February 25, 2010.

**Cheryl Paige,**  
*Director, Office of Information Management.*

**Dated:** February 25, 2010.

**Margaret S. Pfunder,**  
*Chief Counsel, Civilian Board of Contract Appeals.*

**Dated:** February 25, 2010.

**Sloan W. Farrell,**  
*Team Leader, External Programs, Office of Civil Rights.*

**Dated:** February 25, 2010.

**Chris Giavis,**  
*Office of Real Property Asset Management*

**General Services Administration—Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
275	General Services Administration Acquisition Regulation (GSAR) Case 2006-G522; Federal Supply Schedule Contracts—Recovery Purchasing by State and Local Governments Through Federal Supply Schedules .....	3090-AI32
276	GSAR Case 2008-G517; Cooperative Purchasing-Acquisition of Security and Law Enforcement Related Goods and Services (Schedule 84) by State and Local Governments Through Federal Supply Schedules .....	3090-AI68
277	General Services Administration Acquisition Regulation (GSAR) Case 2006-G507; Rewrite of Part 538, Federal Supply Schedule Contracting .....	3090-AI77

**General Services Administration—Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
278	General Services Administration Acquisition Regulation (GSAR) Case 2005-G501; Federal Agency Retail Pharmacy Program .....	3090-AI06

## General Services Administration (GSA)

## Final Rule Stage

## OFFICE OF ACQUISITION POLICY

**275. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) CASE 2006–G522; FEDERAL SUPPLY SCHEDULE CONTRACTS—RECOVERY PURCHASING BY STATE AND LOCAL GOVERNMENTS THROUGH FEDERAL SUPPLY SCHEDULES**

**Legal Authority:** 40 USC 121(c); 40 USC 502(d)

**Abstract:** The rule is amending the General Services Administration Acquisition Regulation (GSAR) to implement section 833 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Pub. L. 109-364). Section 833 amends 40 U.S.C. 502 to authorize the Administrator of General Services to provide to State and local governments the use of Federal Supply Schedules of the GSA for purchase of products and services to be used to facilitate recovery from a major disaster declared by the President or to facilitate recovery from terrorism, or nuclear, biological, chemical, or radiological attack.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/01/07	72 FR 4649
Interim Final Rule Comment Period End	04/02/07	
Final Rule	06/00/10	

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3090-AI32

**276. GSAR CASE 2008–G517; COOPERATIVE PURCHASING—ACQUISITION OF SECURITY AND LAW ENFORCEMENT RELATED GOODS AND SERVICES (SCHEDULE 84) BY STATE AND LOCAL GOVERNMENTS THROUGH FEDERAL SUPPLY SCHEDULES**

**Legal Authority:** 40 USC 121(c)

**Abstract:** The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to implement Public Law 110-248, The Local Preparedness Acquisition Act. The Act authorizes the Administrator of General Services to provide for the use by State or local governments of Federal Supply Schedules of the General Services Administration (GSA) for alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services (as contained in Federal supply classification code group 84 or any amended or subsequent version of that Federal supply classification group).

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/19/08	73 FR 54334
Interim Final Rule Comment Period End	11/18/08	
Final Rule	06/00/10	

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3090-AI68

**277. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) CASE 2006–G507; REWRITE OF PART 538, FEDERAL SUPPLY SCHEDULE CONTRACTING**

**Legal Authority:** 40 USC 121(c)

**Abstract:** The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to revise sections of GSAR part 538 that provide requirements for Federal Supply Schedule Contracting actions. This is a significant regulatory action and, therefore, was subject to review under section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

**Timetable:**

Action	Date	FR Cite
NPRM	01/26/09	74 FR 4596
NPRM Comment Period End	03/27/09	
Final Rule	05/00/10	

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3090-AI77

## General Services Administration (GSA)

## Long-Term Actions

## OFFICE OF ACQUISITION POLICY

**278. GENERAL SERVICES  
ADMINISTRATION ACQUISITION  
REGULATION (GSAR) CASE  
2005–G501; FEDERAL AGENCY  
RETAIL PHARMACY PROGRAM**

**Legal Authority:** 40 USC 121(c)

**Abstract:** The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to add a new subpart and clause required by the Department of Veterans Affairs (VA), consistent with congressional intent under section 603 of the Veterans Health Care Act of 1992 (VHCA) and 38 U.S.C. 8126, that certain Federal agencies (i.e., VA, Department of Defense (DoD), Public Health Service (including the Indian Health Service), and the Coast Guard)

have access to Federal pricing for pharmaceuticals purchased for their beneficiaries.

GSA is responsible for the schedules program and rules related to its operation. Under GSA's delegation of authority, the VA procures medical supplies under the VA Federal Supply Schedule program. VA and DoD seek this amendment. This new subpart adds a clause unique to the virtual depot system established by a Federal Agency Retail Pharmacy Program utilizing contracted retail pharmacies as part of a centralized pharmaceutical commodity management program. At this time, only DoD has a program in place, and the rule would facilitate DoD's access to Federal pricing on Federal Supply Schedule (FSS) pharmaceutical contracts for covered drugs purchased by DoD and dispensed to TRICARE beneficiaries through retail pharmacies in the TRICARE network.

**Timetable:**

Action	Date	FR Cite
NPRM	04/12/05	70 FR 19045
NPRM Comment Period End	06/13/05	
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis  
Required:** Yes

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**RIN:** 3090-AI06

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